

### People of the Philippines vs. Ricardo Agliday y Tolentino, GR No. 124670

#### Facts:

On February 25, 1999, Ricardo Agliday y Tolentino allegedly shot his son, Richard V. Agliday, with a shotgun at their home in Barangay Nalsian Sur, Bayambang, Pangasinan. Conchita Agliday, Ricardo's wife, testified that while she was washing dishes in the kitchen, her husband shot their son following a quarrel. Richard intervened in the argument, and Ricardo, who was reportedly cleaning a shotgun, discharged the weapon hitting Richard in the buttock. Richard was taken to multiple hospitals but succumbed to his injuries.

Ricardo Agliday asserted that the shooting was accidental; he claimed he was cleaning his shotgun when it discharged accidentally. Following the incident, Ricardo surrendered to Barangay Captain Jose Matabang.

The San Carlos City Regional Trial Court (RTC), Branch 57, found Ricardo guilty of parricide, and he was sentenced to reclusion perpetua and ordered to indemnify Richard's heirs.

#### Issues:

1. **Credibility of Witnesses**: Did the trial court err in giving credence to prosecution witnesses over the defense's testimony?
2. **Exempting Circumstance of Accident**: Should Ricardo be acquitted based on the defense of accident under Article 12, paragraph 4 of the Revised Penal Code?

#### Court's Decision:

The Supreme Court denied the appeal and affirmed the trial court's decision.

1. **Credibility of Witnesses**: The Court upheld the lower court's findings that Conchita and Rey Agliday (Ricardo's son and Richard's brother) provided credible eyewitness testimonies. The Court reiterated the rule in criminal jurisprudence that an appellate court should not disturb the factual findings of the trial court unless unsupported by evidence or if material facts were overlooked. The testimonies of prosecution witnesses were deemed straightforward and reliable, and Conchita's momentary confusion when initially interviewed by SPO1 Emilio Opina did not undermine her credibility.
2. **Exempting Circumstance of Accident**: For the exemption of accident under Article 12, the act must be lawful, performed with due care, and without intent. Here, Ricardo's action of shooting a shotgun at his son was not considered lawful. The deliberate use of a firearm,

the argument preceding the incident, and Ricardo's specific action of fetching and cocking the shotgun, all pointed to intentional conduct rather than an accident. The Court also noted that Ricardo's defense of the shotgun discharging accidentally was unconvincing, given the precise nature of the injury and circumstances leading to the shooting.

#### Doctrine:

- **Reckless Imprudence vs. Intentional Acts**: Reckless imprudence involves the voluntary performance of an act without malice that results in damage due to a lack of caution. In contrast, the presence of intent or malicious action negates a reckless imprudence defense. Intentions demonstrated through overt acts, preparation, and execution determine criminal liability.

#### Class Notes:

- **Credibility of Witnesses**: Appellate courts must respect the trial court's factual findings on the credibility of witnesses unless clearly unsupported by evidence.
- *People v. Llaguno*, 285 SCRA 124.
- **Exempting Circumstances**: Elements for accident under the Revised Penal Code:
  1. Lawful act performed with due care.
  2. Injury caused by mere accident.
  3. Absence of fault or intention.
- Revised Penal Code, Article 12, Paragraph 4\*.
- **Voluntary vs. Reckless Imprudence**: Deliberate actions inconsistent with accidental claims highlight criminal intent.
- Revised Penal Code, Article 365\*.
- *People v. Belbes*, GR No. 124670.

#### Historical Background:

The case provides insight into Filipino family dynamics and the intersection of personal disputes with criminal acts within the context of domestic incidents. It underscores the judicial system's approach to analyze and distinguish between accidental harm and intentional criminal acts, emphasizing the importance of credible evidence and witness testimony in adjudicating serious criminal offenses like parricide.